

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICTION NO.1085 OF 1996  
IN  
SECOND APPEAL NO. 175 OF 1997**

**Gangadhar Narhar Karulkar and ors. : Applicants/Appellants.  
Versus  
Salil Jayant Karulkar and anr. : Respondents.**

**Mr.N V Walawalkar, Senior Advocate with Mr.S M Sabrad for the  
Applicants/Appellants.**

**Mr.M M Vashi for the Respondent No.1.**

**Mr. A S Khandeparkar i/by M/s.Khandeparkar & Associates for the  
Respondent No.2.**

**CORAM : R M SAVANT, J.**

**DATE : 02<sup>nd</sup> May 2012**

**P.C.**

1 Not on board. Taken up for hearing with the consent of the parties.

2 By an order passed today in Civil Application No.432 of 2012, the above Civil Application has been restored to file. The above Civil Application has been filed for condonation of delay, for setting aside the abatement as against Respondent No.10 and for bringing the heirs of Appellant No.10 on record.

3 The learned counsel Shri M M Vashi appearing for the Respondent No.1 and the learned counsel Shri A S Khandeparkar, appearing for the

Respondent No.2 have no objection to the delay being condoned, the abatement being set aside and the heirs of the Appellant No.10 being brought on record. Resultantly, the delay in filing the above Civil Application is condoned, the abatement as against Respondent No.10 is set aside and the heirs of Respondent No.10 are allowed to be brought on record. The amendment in the cause title to be carried out forthwith. The above Civil Application is accordingly disposed of.

**[R.M.SAVANT, J]**